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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ruxandra, Draghia-Akli et al.,

Serial No.: 10/619,939

Filed: July 15, 2003

Art Unit: 1636

Examiner: Daniel M. Sullivan

For: CODON OPTIMIZED SYNTHETIC PLASMIDS

Mail Stop Amendment
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING: I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with postage prepaid in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria 22313-1450 on June 23, 2006.

Tracy E. Giroux
 (Signature)

Tracy E. Giroux
 (Printed Name of Person Signing Certificate)

June 23, 2006
 (Date)

RESPONSE TO RESTRICTION REQUIREMENT WITH SPECIES ELECTION

In response to the Examiner's communication mailed May 30, 2006, having a deadline for response expiring June 30, 2006, Applicants hereby elect to prosecute in this application the following invention, without traverse:

Invention I. 1-31 drawn to a synthetic mammalian expression plasmid comprising a synthetic eukaryotic promoter, codon optimized eukaryotic therapeutic gene sequence, a polyA signal, etc., classified in class 435, subclass 320.1.

Additionally, the Examiner has required that a single disclosed species be elected for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

Applicants hereby elect SEQID No.: 7 and corresponding SEQID NO.: 19 as reading on the elected species.

Invention II, Claims 32-37 will be prosecuted separately under a divisional application.

Respectfully submitted,



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June 23, 2006

Date